



General Assembly

Amendment

February Session, 2014

LCO No. 5204

HB0522105204SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

SEN. KISSEL, 7th Dist.

To: Subst. House Bill No. **5221**

File No. 147

Cal. No. 346

"AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING LENGTHY SENTENCES FOR CRIMES COMMITTED BY A CHILD OR YOUTH AND THE SENTENCING OF A CHILD OR YOUTH CONVICTED OF CERTAIN FELONY OFFENSES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 18-98e of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2014, and*
5 *applicable to eligibility to earn risk reduction credits on or after said date*):

6 (a) Notwithstanding any provision of the general statutes, any
7 person sentenced to a term of imprisonment for a crime committed on
8 or after October 1, 1994, and committed to the custody of the
9 Commissioner of Correction on or after said date, except a person
10 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,

11 53a-55, 53a-55a, 53a-70a or 53a-100aa, may be eligible to earn risk
12 reduction credit toward a reduction of such person's sentence, in an
13 amount not to exceed five days per month, at the discretion of the
14 Commissioner of Correction for conduct as provided in subsection (b)
15 of this section occurring on or after April 1, 2006.

16 (b) An inmate may earn risk reduction credit for adherence to the
17 inmate's offender accountability plan, for participation in eligible
18 programs and activities, and for good conduct and obedience to
19 institutional rules as designated by the commissioner, provided (1)
20 good conduct and obedience to institutional rules alone shall not
21 entitle an inmate to such credit, and (2) the commissioner or the
22 commissioner's designee may, in his or her discretion, cause the loss of
23 all or any portion of such earned risk reduction credit for any act of
24 misconduct or insubordination or refusal to conform to recommended
25 programs or activities or institutional rules occurring at any time
26 during the service of the sentence or for other good cause. If an inmate
27 has not earned sufficient risk reduction credit at the time the
28 commissioner or the commissioner's designee orders the loss of all or a
29 portion of earned credit, such loss shall be deducted from any credit
30 earned by such inmate in the future.

31 (c) The award of risk reduction credit earned for conduct occurring
32 prior to July 1, 2011, shall be phased in consistent with public safety,
33 risk reduction, administrative purposes and sound correctional
34 practice, at the discretion of the commissioner, but shall be completed
35 not later than July 1, 2012.

36 (d) Any credit earned under this section may only be earned during
37 the period of time that the inmate is sentenced to a term of
38 imprisonment and committed to the custody of the commissioner and
39 may not be transferred or applied to a subsequent term of
40 imprisonment. In no event shall any credit earned under this section be
41 applied by the commissioner so as to reduce a mandatory minimum
42 term of imprisonment such inmate is required to serve by statute.

43 (e) The commissioner shall adopt policies and procedures to
44 determine the amount of credit an inmate may earn toward a
45 reduction in his or her sentence and to phase in the awarding of
46 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2014, and applicable to eligibility to earn risk reduction credits on or after said date</i>	18-98e